

**THIRTY-SECOND LEGISLATIVE DAY
THURSDAY, FEBRUARY 10, 2005**

House of Representatives

The House convened at 11 a.m., Mr. Denney in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Representative Henbest.

The Pledge of Allegiance was led by Nicholas Tiller, Page.

Approval of Journal

February 10, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-first Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

February 9, 2005

Mr. Speaker:

I return herewith enrolled **HCR 3** and **HCR 4** which have been signed by the President.

WOOD, Secretary

Enrolled **HCR 3** and **HCR 4** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

February 9, 2005

Mr. Speaker:

I transmit herewith **S 1038**, **S 1054**, and **S 1055** which have passed the Senate.

WOOD, Secretary

S 1038, **S 1054**, and **S 1055** were filed for first reading.

February 9, 2005

Mr. Speaker:

I return herewith **H 2** which has passed the Senate.

WOOD, Secretary

H 2 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 10, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 8**, **HCR 9**, **HCR 10**, **HCR 11**, **H 143**, **H 144**, **H 145**, **H 146**, **H 147**, **H 148**, **H 149**, and **H 150**.

FIELD(18), Chairman

HCR 8 and **HCR 9** were referred to the Education Committee.

HCR 10, **H 143**, and **H 145** were referred to the Environment, Energy, and Technology Committee.

HCR 11, **H 144**, **H 146**, and **H 147** were referred to the Transportation and Defense Committee.

H 148 was referred to the Health and Welfare Committee.

H 149 and **H 150** were referred to the State Affairs Committee.

February 10, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 12**, **H 13**, **H 15**, and **H 3**.

FIELD(18), Chairman

The Speaker Pro Tem announced that enrolled **H 12**, **H 13**, **H 15**, and **H 3** would be signed by the Speaker, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 9, 2005

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **SCR 105** and recommend that it do pass.

CROW, Chairman

SCR 105 was filed for second reading.

February 9, 2005

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **H 132** and **H 133** and recommend that they do pass.

STEVENSON, Chairman

H 132 and **H 133** were filed for second reading.

February 9, 2005

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **H 62** and **H 64** and recommend that they do pass.

SCHAEFER, Chairman

H 62 and **H 64** were filed for second reading.

February 9, 2005

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **H 63** and report it back with amendments attached to be placed on General Orders for consideration.

SCHAEFER, Chairman

H 63 was placed on General Orders for consideration.

February 10, 2005

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **HJM 2** and **H 87** and recommend that they do pass.

DEAL, Chairman

HJM 2 and **H 87** were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 151
BY REVENUE AND TAXATION COMMITTEE
AN ACT**

RELATING TO THE IDAHO ATHLETIC COMMISSION; AMENDING SECTION 54-402, IDAHO CODE, TO FURTHER DEFINE TERMS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-411, IDAHO CODE, TO REQUIRE APPLICATION FOR A SANCTIONING PERMIT AND TO IMPOSE A TAX ON SALES OF PAY-PER-VIEW BROADCAST RIGHTS; REPEALING SECTION 54-413, IDAHO CODE; AMENDING CHAPTER 4, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-413, IDAHO CODE, TO ENUMERATE CONTENTS OF A PERMIT APPLICATION AND TIME OF FILING A PERMIT; AND AMENDING CHAPTER 4, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-413A, IDAHO CODE, TO GOVERN TELECAST PROMOTERS, TO REQUIRE A LICENSEE TO REPORT AND TO PAY AN ASSESSMENT AND TO PROVIDE PENALTIES.

**HOUSE BILL NO. 152
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT**

RELATING TO THE SNAKE RIVER WATER RIGHTS AGREEMENT OF 2004; TO DEFINE TERMS; TO PROVIDE FOR THE APPROVAL, RATIFICATION AND CONFIRMATION OF THE SNAKE RIVER WATER RIGHTS AGREEMENT OF 2004; TO AUTHORIZE IMPLEMENTATION OF THE SNAKE RIVER WATER RIGHTS AGREEMENT OF 2004; DECLARING AN EMERGENCY AND PROVIDING A CONTINGENCY ON EFFECTIVENESS.

HOUSE BILL NO. 153

**BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT**

RELATING TO WATER; AMENDING SECTION 42-1763B, IDAHO CODE, TO PROVIDE INTERIM AUTHORITY FOR RENTAL OF WATER TO AUGMENT FLOWS FOR LISTED ANADROMOUS FISH, TO PROVIDE LEGISLATIVE FINDINGS AND INTENT, TO AUTHORIZE THE U.S. BUREAU OF RECLAMATION TO LEASE STORAGE AND NATURAL FLOW WATER RIGHTS THROUGH THE STATE WATER SUPPLY BANK AND LOCAL RENTAL POOLS UNDER SPECIFIED CONDITIONS, TO PROVIDE THAT CERTAIN RENTAL OF WATER FOR FLOW AUGMENTATION IS SUBJECT TO SPECIFIED LIMITATIONS AND CONDITIONS, TO PROVIDE CRITERIA RELATING TO STORAGE WATER RELEASED AND ANY NATURAL FLOW WATER RIGHTS LEASED OR ACQUIRED BY THE U.S. BUREAU OF RECLAMATION, TO SPECIFY CONDITIONS ON WATER RENTALS AND USE, TO PROVIDE CORRECT TERMINOLOGY, TO PROVIDE THAT THE STATE SHALL PURSUE A SHAPING AGREEMENT FOR CERTAIN WATER RELEASED FROM LAKE CASCADE, TO PROVIDE THAT THE RENTAL OR USE OF CERTAIN WATER SHALL BE IN COMPLIANCE WITH SPECIFIED REQUIREMENTS, TO PROVIDE THAT THE STATE OF IDAHO SHALL NOT TAKE SPECIFIED ACTIONS TO REMEDY OR ADDRESS CERTAIN VIOLATIONS, TO REQUIRE THE U.S. BUREAU OF RECLAMATION TO SUBMIT DESIGNATED REPORTS TO THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES, TO PROVIDE REQUIREMENTS RELATING TO WATER RENTED OR USED FROM ABOVE HELLS CANYON DAM, TO PROVIDE THAT WATER RENTED OR USED SHALL BE SUBJECT TO SPECIFIED TERMS AND CONDITIONS, TO SPECIFY LIMITATIONS RELATING TO FLOW AUGMENTATION, TO CLARIFY LIMITATIONS RELATING TO SPECIFIED PROVISIONS, TO PROVIDE CONDITIONS ON EFFECTIVENESS, TO PROVIDE A CONDITIONAL SUNSET AND TO PROVIDE LEGISLATIVE INTENT RELATING TO CONSIDERATION OF REPEAL UNDER CERTAIN CONDITIONS; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 154
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT**

RELATING TO MINIMUM STREAM FLOW WATER RIGHTS; AMENDING CHAPTER 15, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-1507, IDAHO CODE, TO PROVIDE FOR THE ESTABLISHMENT OF CERTAIN MINIMUM STREAM FLOW WATER RIGHTS, TO AUTHORIZE THE WATER RESOURCE BOARD TO HOLD THE MINIMUM STREAM FLOW WATER RIGHTS IN TRUST AND TO FILE CLAIMS FOR THE RIGHTS IN THE SNAKE RIVER BASIN ADJUDICATION, TO PROVIDE A PRIORITY DATE, TO PROVIDE FOR SUBORDINATION TO SPECIFIED USES, TO WAIVE CERTAIN FILING FEES, TO PROVIDE THAT CERTAIN MINIMUM STREAM FLOW

WATER RIGHTS MAY BE SATISFIED AND MAINTAINED THROUGH DESIGNATED METHODS, TO PROVIDE FOR CERTAIN NOTICE AND CONSULTATION IN THE EVENT THE STATE DECIDES TO CHANGE ANY MINIMUM STREAM FLOW WATER RIGHT, TO CLARIFY THE AUTHORITY OF THE STATE IN RELATION TO THE MINIMUM STREAM FLOW WATER RIGHTS AND TO PROVIDE A CONTINGENCY ON EFFECTIVENESS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 155
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
 AN ACT

RELATING TO THE CERTIFIED SHORTHAND REPORTERS ACT; AMENDING SECTION 54-3102, IDAHO CODE, TO CLARIFY A DEFINITION; AMENDING SECTION 54-3108, IDAHO CODE, TO REVISE EXAMINATION REQUIREMENTS, TO DELETE LANGUAGE EXEMPTING CERTAIN APPLICANTS FROM EXAMINATION REQUIREMENTS AND TO MAKE TECHNICAL CHANGES; AMENDING SECTION 54-3109, IDAHO CODE, TO UPDATE REFERENCES AND TO DELETE LANGUAGE PROVIDING FOR EXPERIENCE QUALIFICATIONS AS ESTABLISHED BY RULE; AMENDING SECTION 54-3110, IDAHO CODE, TO INCREASE THE MAXIMUM REINSTATEMENT FEE AND TO PROVIDE FOR A FEE FOR EXAMINATION PREPARATION MATERIALS; AND AMENDING SECTION 54-3111, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO THE CONDUCT OF EXAMINATIONS.

HOUSE BILL NO. 156
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
 AN ACT

RELATING TO THE BUREAU OF OCCUPATIONAL LICENSES; AMENDING SECTION 67-2609, IDAHO CODE, TO AUTHORIZE THE BUREAU TO CONDUCT HEARINGS AND PROCEEDINGS RELATED TO LICENSES, CERTIFICATES AND AUTHORITIES, TO AUTHORIZE THE BUREAU TO REVOKE, SUSPEND, REFUSE ISSUANCE OR REFUSE TO RENEW LICENSES, CERTIFICATES OR AUTHORITIES, TO AUTHORIZE THE BUREAU TO CONDUCT INVESTIGATIONS AND TO SET FORTH PROVISIONS APPLICABLE TO INVESTIGATIONS CONDUCTED BY THE BUREAU.

HOUSE BILL NO. 157
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
 AN ACT

RELATING TO JAILS; AMENDING SECTION 20-618, IDAHO CODE, TO PROVIDE THAT COUNTY JAILS ARE AUTHORIZED TO CREATE A SELF-PERPETUATING COMMISSARY FUND AND TO PROVIDE THE PURPOSE OF THE COMMISSARY FUND; AND AMENDING SECTION 20-619, IDAHO CODE, TO PROVIDE FOR COMMISSARY OR PERSONAL ACCOUNTS, TO INCREASE THE FEE

THAT COUNTY SHERIFF DEPARTMENTS MAY CHARGE A NONINDIGENT INMATE FOR HEALTH CARE VISITS, TO PROVIDE FOR COLLECTION OF DEBTS INCURRED FOR HEALTH CARE VISITS, TO PROVIDE THAT AN INMATE PROVIDE HEALTH INSURANCE INFORMATION AND TO PROVIDE THAT THE SHERIFF IS AUTHORIZED TO SUBMIT MEDICAL COSTS TO THE INMATE'S HEALTH INSURANCE COMPANY ON BEHALF OF THE INMATE.

HOUSE BILL NO. 158
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
 AN ACT

RELATING TO FEES AND ALCOHOL BEVERAGE CONTROL; AMENDING SECTION 23-940, IDAHO CODE, TO PROVIDE FOR DISPOSITION OF CERTAIN LICENSE FEE MONEYS TO THE ALCOHOL BEVERAGE CONTROL FUND, TO PROVIDE FOR WHAT MONEYS IN THE ALCOHOL BEVERAGE CONTROL FUND MAY BE UTILIZED, TO PROVIDE FUND BALANCES AT THE END OF THE FISCAL YEAR AND TO PROVIDE THAT INTEREST EARNED ON THE INVESTMENT OF IDLE MONEYS IN THE FUND SHALL BE RETURNED TO THE FUND; AND AMENDING SECTION 23-1014, IDAHO CODE, TO PROVIDE TWO NEW BEER LICENSE CATEGORIES AND FEES.

HOUSE BILL NO. 159
BY BUSINESS COMMITTEE
 AN ACT

RELATING TO ESCROW AGENCIES; REPEALING CHAPTER 9, TITLE 30, IDAHO CODE; AMENDING TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 9, TITLE 30, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO DEFINE CONDUCT REQUIRING A LICENSE, TO SPECIFY LOCATIONS WHERE BUSINESS MAY BE CONDUCTED, TO PROVIDE EXEMPTIONS, TO PROVIDE FOR THE DIRECTOR'S ISSUANCE OR DENIAL OF LICENSES, TO PROVIDE FOR RENEWAL OF LICENSES, TO REQUIRE EVIDENCE OF FINANCIAL RESPONSIBILITY, TO PROVIDE FOR ACTION IN THE CASE OF A BOND CANCELLATION, TO LIMIT THE TIME WITHIN WHICH AN ACTION MAY BE BROUGHT AGAINST A BOND, TO PROVIDE THAT LICENSES ARE NOT TRANSFERABLE OR ASSIGNABLE, TO REQUIRE PRIOR WRITTEN CONSENT OF THE DIRECTOR FOR THE CONTROL OF A LICENSE ACQUIRED THROUGH A STOCK PURCHASE OR OTHER DEVICE, TO PROVIDE FOR CIVIL AND CRIMINAL PENALTIES, TO PROVIDE FOR THE MAINTENANCE, INSPECTION AND RETENTION OF BOOKS, ACCOUNTS AND RECORDS, TO REQUIRE SEPARATE ESCROW TRUST FUND ACCOUNTS, TO REQUIRE WRITTEN ESCROW AGREEMENTS, TO REQUIRE THAT RECORDS BE RECONCILED AT LEAST MONTHLY, TO PROVIDE FOR THE INTEREST RECEIVED ON FUNDS, TO REQUIRE DISCLOSURE OF CONFLICTS OF INTEREST, TO REQUIRE DELIVERY OF CLOSING STATEMENTS, TO PROVIDE

THAT FUNDS OR OTHER VALUE RECEIVED BY A LICENSEE PURSUANT TO AN ESCROW OR TRUST ARE NOT SUBJECT TO EXECUTION OR ATTACHMENT IN ANY CLAIM AGAINST THE LICENSEE, TO PROVIDE FOR EXAMINATIONS AND INVESTIGATIONS, TO SET FORTH ADDITIONAL POWERS AND DUTIES OF THE DIRECTOR, TO SET FORTH PROHIBITED PRACTICES, TO PROVIDE REMEDIES, TO LIMIT THE IMPAIRMENT OF OTHER REMEDIES, TO PROVIDE FOR CONTINUING JURISDICTION, TO PROVIDE FOR LIMITATION OF THE ACT, TO PROVIDE FOR SEVERABILITY AND TO PROVIDE FOR INITIAL LICENSING AND COMPLIANCE; AND AMENDING SECTION 45-1504, IDAHO CODE, TO REVISE PROVISIONS RELATING TO TRUSTEES OF TRUST DEEDS.

**HOUSE BILL NO. 160
BY BUSINESS COMMITTEE**

AN ACT

RELATING TO STANDARD FIRE POLICIES; AMENDING SECTION 41-2401, IDAHO CODE, TO PROVIDE THAT COMMERCIAL STANDARD FIRE INSURANCE POLICIES MAY EXCLUDE COVERAGE FOR LOSS BY FIRE OR OTHER PERILS INSURED AGAINST IF THE FIRE OR OTHER PERILS ARE CAUSED DIRECTLY OR INDIRECTLY BY TERRORISM.

**HOUSE BILL NO. 161
BY BUSINESS COMMITTEE**

AN ACT

RELATING TO SURPLUS LINE INSURERS; AMENDING SECTION 41-1218, IDAHO CODE, TO REMOVE LANGUAGE PROVIDING FOR LICENSE REVOCATION BY THE DIRECTOR AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 162
BY BUSINESS COMMITTEE**

AN ACT

RELATING TO INSURANCE GUARANTY ASSOCIATIONS; AMENDING SECTION 41-3608, IDAHO CODE, TO REVISE THE POWERS OF ASSOCIATIONS; AND AMENDING SECTION 41-3616, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO CREDITS FOR ASSESSMENTS PAID.

**HOUSE BILL NO. 163
BY BUSINESS COMMITTEE**

AN ACT

RELATING TO CONTRACTOR REGISTRATION; AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 52, TITLE 54, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DECLARE A POLICY, TO DEFINE TERMS, TO REQUIRE REGISTRATION, TO SET FORTH EXEMPTIONS, TO CREATE THE IDAHO CONTRACTORS BOARD, TO SET FORTH BOARD POWERS AND DUTIES, TO PROVIDE FOR THE DENIAL OF LIEN RIGHTS, TO PROVIDE THAT A CONTRACTOR'S REGISTRATION NUMBER SHALL BE REQUIRED ON

BUILDING AND OTHER PERMITS, TO REQUIRE THE POSTING OF PERMITS, TO PROVIDE AN EXEMPTION, TO PROVIDE FOR APPLICATIONS FOR REGISTRATION, TO SET FORTH REGISTRATION PERIODS, TO PROVIDE FOR RENEWAL OF REGISTRATION, TO PROVIDE FOR THE DISPOSITION OF RECEIPTS, TO PROVIDE FOR THE PAYMENT OF EXPENSES, TO PROVIDE FOR RECIPROCAL REGISTRATION, TO PROVIDE FOR THE ISSUANCE OF CERTIFICATES OF REGISTRATION AND CARDS, TO REQUIRE NOTIFICATION UPON ANY CHANGE OF OWNERSHIP, TO REQUIRE THE DISPLAY OF CONTRACTOR REGISTRATION NUMBERS, TO PROVIDE FOR BOARD AUTHORITY TO INVESTIGATE AND DISCIPLINE, TO PROVIDE FOR THE SUSPENSION OR REVOCATION OF REGISTRATION, TO PROVIDE FOR REINSTATEMENT, TO PROVIDE PENALTIES, TO SET FORTH POWERS AND DUTIES OF THE ATTORNEY GENERAL AND PROSECUTING ATTORNEYS AND TO PROVIDE FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 164
BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO AUDITORIUM DISTRICTS; AMENDING SECTION 67-4907, IDAHO CODE, TO REVISE PROCEDURES FOR HEARINGS ON PETITIONS AND ELECTIONS FOR ORGANIZATION AND OFFICERS OF AUDITORIUM DISTRICTS; AMENDING SECTION 67-4908, IDAHO CODE, TO PROVIDE THAT THERE SHALL BE SEVEN MEMBERS OF THE BOARD OF DIRECTORS OF AN AUDITORIUM DISTRICT, EACH OF WHOM MUST BE A RESIDENT OF THE DISTRICT DURING HIS OR HER TERM OF OFFICE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-4910, IDAHO CODE, TO REVISE QUORUM REQUIREMENTS; AMENDING SECTION 67-4911, IDAHO CODE, TO REVISE TERMS OF OFFICE OF MEMBERS OF THE BOARD OF DIRECTORS; AMENDING SECTION 67-4912, IDAHO CODE, TO PROVIDE THAT NO DISTRICTS SHALL HAVE POWER TO LEVY AND COLLECT PROPERTY TAXES AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTIONS 67-4913, 67-4914, 67-4915, 67-4916, 67-4917, 67-4917A, 67-4918, 67-4919 AND 67-4920, IDAHO CODE; AMENDING SECTION 67-4917B, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO DELETE REFERENCE TO CERTAIN STATUTES; AMENDING SECTION 67-4917C, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 67-4921, IDAHO CODE, TO REDESIGNATE THE SECTION, TO DELETE THE AUTHORITY OF A DISTRICT TO LEVY AND COLLECT AD VALOREM TAXES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-4922, IDAHO CODE, TO REDESIGNATE THE SECTION, TO DELETE REFERENCE TO LEVYING AND COLLECTING AD VALOREM TAXES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-4922A, IDAHO CODE, TO REDESIGNATE THE

SECTION; AMENDING SECTION 67-4923, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO DELETE REFERENCE TO LEVYING AND COLLECTING AD VALOREM TAXES; AMENDING SECTION 67-4924, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO DELETE REFERENCE TO LEVYING AND COLLECTING AD VALOREM TAXES; AMENDING SECTION 67-4925, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO DELETE REFERENCE TO LEVYING AND COLLECTING AD VALOREM TAXES; AMENDING SECTION 67-4926, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-4928, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 67-4929, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE A PROCEDURE FOR CHANGE OF A DISTRICT'S BOUNDARIES, TO DELETE REFERENCE TO INDEBTEDNESS AND LEVYING AND COLLECTING AD VALOREM TAXES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-4930, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROCEDURES FOR DISSOLUTION OF A DISTRICT AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-4931, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE THE DEFINITION OF "MEASURE"; AND AMENDING SECTION 63-3622KK, IDAHO CODE, TO DELETE CODE REFERENCES AND TO MAKE A TECHNICAL CORRECTION.

H 151, H 152, H 153, H 154, H 155, H 156, H 157, H 158, H 159, H 160, H 161, H 162, H 163, and H 164 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1038, S 1054, and S 1055, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 7, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

H 98, by Education Committee, was read the second time by title and filed for third reading.

H 39, H 40, and H 53, by Transportation and Defense Committee, were read the second time by title and filed for third reading.

H 106, by Environment, Energy, and Technology Committee, was read the second time by title and filed for third reading.

S 1003, by Gannon, was read the second time by title and filed for third reading.

H 23, by State Affairs Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 91 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Moyle to open debate.

The question being, "Shall **H 91** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Martinez, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydallch, Saylor, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 59.

NAYS -- Andrus, Barrett, Hart, Loertscher, Mathews, McGeachin, Roberts, Sali, Shepherd(8), Wood. Total -- 10.

Absent and excused -- Edmunson. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 91** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

HJM 1 was read the third time at length, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Wood to open debate.

The question being, "Shall **HJM 1** be adopted?"

Whereupon the Speaker Pro Tem declared **HJM 1** adopted by voice vote and ordered the memorial transmitted to the Senate.

H 48 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Smylie to open debate.

The question being, "Shall **H 48** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake,

LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 67.

NAYS -- None.

Absent and excused -- Edmunson, Loertscher, Mr. Speaker.

Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 48** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 59** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Friday, February 11, 2005. Seconded by Mr. Sayler. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 11:55 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk